

NOTICE AND AGENDA

SUNNYVALE CITY COUNCIL,
TUESDAY, FEBRUARY 10, 2009
COUNCIL CHAMBERS, 456 W. OLIVE AVE.
SUNNYVALE, CALIFORNIA

6 P.M. SPECIAL COUNCIL MEETING (Closed Session)

City Council Closed Session

1. Call to Order in the West Conference Room (Open to the Public)
2. Roll Call
3. Convene to Closed Session – *The public may provide comments regarding the Closed Session item(s) just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.*
 - **Conference with Labor Negotiator pursuant to Government Code Section 54987.6; Negotiator: Erwin Young, Director of Human Resources; Employee Organization: Sunnyvale Managers Association (SMA)**
4. Adjourn Special Meeting

7 P.M. COUNCIL MEETING

Pursuant to Council Policy, City Council will not begin consideration of any agenda item after 11:30 p.m. without a vote. At approximately 9:30 p.m., Council will make an announcement indicating that items may not be heard after 11:30 p.m. Any item on the agenda which must be continued due to the late hour shall be continued to a date certain. Information provided herein is subject to change from date of printing of the agenda to the date of the meeting.

CALL TO ORDER

SALUTE TO THE FLAG

ROLL CALL

CLOSED SESSION REPORT FOR February 10, 2009

Conference with Labor Negotiator pursuant to Government Code Section 54987.6; Negotiator: Erwin Young, Director of Human Resources; Employee Organization: Sunnyvale Managers Association (SMA)

PUBLIC ANNOUNCEMENTS

Each speaker is limited to three minutes for announcements of community events, programs, or recognition.

Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, CA. during normal business hours and in the Council Chambers on the evening of the Council Meeting, pursuant to Government Code §54957.5.

CONSENT CALENDAR

- 1.A. MOTION Approval of Council Meeting Minutes of October 21, 2008
- 1.B. MOTION Approval of Council Meeting Minutes of October 28, 2008
- 1.C. MOTION Approval of Information/Action Items – Council Directions to Staff

Fiscal Items

- 1.D. MOTION List of Claims and Bills Approved for Payment by the City Manager - List
RTC 09-037 No. 439

Staff Recommendation: Council reviews the attached lists of bills.

Staff Contact: Peter Gonda, (408) 730-7385

- 1.E. MOTION Approval of Budget Modification No. 25 to Accept Bay Area Air Quality
RTC 09-039 Management District Grant Funding for Reduction of Green House Gas
Emissions

Staff Recommendation: Council approves Budget Modification No. 25 to accept \$55,550 in BAAQMD grant funds and appropriates it to Project 827640 – Environmental Sustainability.

Staff Contact: Dustin Clark, (408) 730-2783

- 1.F. MOTION Approval to Accept Office of Economic Adjustment's Phase 2
RTC 09-042 Augmentation Funding and Approval of Budget Modification No. 27

Staff Recommendation: Council approves Budget Modification No. 27 to incorporate Onizuka Air Force Station Base Realignment and Closure (BRAC) Phase 2 Augmentation Funding in the BRAC Project Budget.

Staff Contact: Robert Switzer, (408) 730-7512

Contracts

- 1.G. MOTION Award Bid No. F0811-31 for Application of Slurry Seal on City Streets
RTC 09-040

Staff Recommendation: Council awards a contract, in substantially the same form as the attached draft and in the amount of \$.104 per square foot for a total cost of \$213,265 to Graham Contractors, Inc., for the application of slurry seal on streets throughout Sunnyvale; and including the base plus designated alternate streets.

Staff Contact: Peter Gonda – (408) 730-7385

STAFF RESPONSES TO PRIOR PUBLIC COMMENTS

Staff may provide further information or clarification for the community's benefit in response to public comments made at previous Council meetings. Staff will not necessarily respond to all public comments.

PUBLIC COMMENTS

*This category is limited to 15 minutes (may be extended or continued after the public hearings/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section.*

PUBLIC HEARINGS/GENERAL BUSINESS

*If you wish to speak to a public hearings/general business item, please fill out a speaker card and give it to the city clerk. You will be recognized at the time the item is being considered by Council. **Each speaker is limited to a maximum of three minutes. For land-use items, applicants are limited to a maximum of 10 minutes for opening comments and 10 minutes for closing comments.***

2. MOTION 2008-0881: Appeal by the applicant of a decision of the Planning
RTC 09-038 Commission denying an application for a Special Development Permit to
allow the sale of beer and wine at an existing gas station and
convenience store. The property is located at 698 N Fair Oaks Avenue
(at Caliente Dr) in a C-1/PD (Neighborhood Business/Planned
Development) Zoning District

Staff Recommendation: Council grants the appeal of the Planning Commission decision and approves the Special Development Permit with conditions.

Staff Contact: Laura Gurney, (408) 730-7440

3. MOTION 2008-0485 Business Identification on Ground Signs and Size of Street
RTC 09-043 Address Numbers (Study Issue)

Staff Recommendation: Council approves several minor changes to the City's Sign Code. These changes include:

- Council permits up to four tenant names on ground signs;
- Council provides a limited exemption from sign area for display of a center's name on multi-tenant ground signs;
- Council reduces the length of street frontage needed for a second ground sign from 500 feet to 300 feet;
- Council limits the height of a second ground sign for properties along El Camino Real to 15 feet;
- Council adopts a minimum copy height of 4 inches for general ground sign copy;
- Council retains the required copy height of 6 inches for address numbers on ground signs and add required locations for addresses; and
- Council does not adopt an amortization program for address signs.

Staff Contact: Mariya Hodge, (408) 730-7659

COUNCILMEMBER REPORTS ON ACTIVITIES FROM INTERGOVERNMENTAL COMMITTEE ASSIGNMENTS

NON-AGENDA ITEMS & COMMENTS

- Council
- Staff

INFORMATION ONLY REPORTS/ITEMS

- Tentative Council Meeting Agenda Calendar
- Draft Bicycle and Pedestrian Advisory Commission Meeting Minutes of January 15, 2009
- Draft Minutes of Housing and Human Services Commission Meeting of January 28, 2009
- RTC 09-041 Opportunity for Council to appeal decisions of the Planning Commission of January 26, 2009 and the Administrative Hearing of January 28, 2009.
- RTC 09-035 Informational Report - Vacancy And Rent Survey

ADJOURNMENT

Notice to the Public:

The agenda reports to council (RTC's) may be viewed on the City's Web site at <http://sunnyvale.ca.gov> after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35.104 ADA Title II).

GUIDELINES FOR ADDRESSING THE CITY COUNCIL

Public Announcement – Beginning of Council Meeting

- Three minutes or less per speaker.
- Speakers are requested to give their name (address is optional).
- Recognition of a special achievement.
- Announcement of public event with definite time and date.
- Public events that are of community-wide interest that occur on an annual basis. (only announce one time).

Public Hearing – Order of Hearing as Follows:

- Opening remarks by the applicant (if applicable) are limited to 10 minutes.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Anyone interested in addressing the Council (may only speak one time).
- Closing remarks by the applicant (if applicable) are limited to 10 minutes.
- Time limit of three minutes per person (may be extended at discretion of mayor). Please make comments brief and be prepared to provide new input.

Public Comments

- Any item relevant to the City of Sunnyvale.
- Speakers are requested to give their name (address is optional).
- Speakers are to turn in a speaker card to the city clerk.
- Items not on the agenda.
- Items that do not fall within the scope of the public announcement section.
- This category is limited to 15 minutes (may be extended or continued after the public hearing/general business section of the agenda at the discretion of the mayor) with a **maximum of three minutes per speaker**. If your subject is **not** on this evening's agenda, you will be recognized at this time; however, the Brown Act (Open Meeting Law) does not allow action by Councilmembers. If you wish to address the Council, please complete a speaker card and give it to the city clerk. Individuals are limited to one appearance during this section.

Planning a presentation for a City Council/Planning Commission meeting?

To assist you in utilizing the technology available in the Council Chambers, the publication "*How to Make Your Council Chambers Presentation More Effective*" may be helpful. Copies are available on the tables located at the back of the Council Chambers prior to scheduled City Council and Planning Commission meetings. You may also pick up a copy at the Office of the City Clerk or visit the City's Web site at <http://sunnyvale.ca.gov>.

Planning to present materials to Council?

If you wish to provide the City Council with copies of your presentation materials, **please provide 12 copies of the materials to the city clerk** (located to the left of the Council dais). The city clerk will distribute your items to the Council.

SCHEDULED COUNCIL MEETINGS

DATE	MEETING	TIME		PLACE
February 10, 2009	Council Meeting	7	p.m.	Council Chambers
February 17, 2009	NO COUNCIL MEETING SCHEDULED			
February 24, 2009	Council Meeting	7	p.m.	Council Chambers
March 3, 2009	Council Meeting	7	p.m.	Council Chambers
March 10, 2009	Council Meeting	7	p.m.	Council Chambers
March 17, 2009	NO COUNCIL MEETING SCHEDULED			
March 24, 2009	Council Meeting	7	p.m.	Council Chambers

OTHER SCHEDULED MEETINGS

February 9, 2009	Personnel Board	5	p.m.	Council Chambers
February 9, 2009	Planning Commission Study Session	7	p.m.	West Conf. Room
February 9, 2009	Planning Commission Public Hearing	8	p.m.	Council Chambers
February 11, 2009	Administrative Hearing	2	p.m.	West Conf. Room
February 11, 2009	Parks and Recreation Commission	7	p.m.	Council Chambers
February 12, 2009	Special Housing & Human Services Commission (Presentation of Human Services Proposals)	7	p.m.	West Conf. Room
February 19, 2009	Bicycle Advisory and Commission Meeting	6:30	p.m.	West Conf. Room
February 18, 2009	Arts Commission	7	p.m.	Council Chambers
February 23, 2009	Planning Commission Study Session	7	p.m.	West Conf. Room
February 23, 2009	Planning Commission Public Hearing	8	p.m.	Council Chambers
February 25, 2009	Administrative Hearing	2	p.m.	West Conf. Room
February 25, 2009	Housing & Human Services Commission	7	p.m.	West Conf. Room
March 2, 2009	Board of Library Trustees	7	p.m.	Council Chambers
March 4, 2009	Heritage Preservation Commission	7	p.m.	West Conf. Room
March 9, 2009	Planning Commission Study Session	7	p.m.	West Conf. Room
March 9, 2009	Planning Commission Public Hearing	8	p.m.	Council Chambers
March 11, 2009	Administrative Hearing	2	p.m.	West Conf. Room
March 11, 2009	Parks and Recreation Commission	7	p.m.	Council Chambers
March 16, 2009	Personnel Board	5	p.m.	Council Chambers
March 18, 2009	Arts Commission	7	p.m.	Council Chambers
March 25, 2009	NOVA Workforce Board Meeting	Noon		NOVA Board Room

CHANNEL 15 – KSUN

February 8, 2009	City Council Meeting - Replay of February 3, 2009	7	p.m.
February 10, 2009	City Council Meeting - Live	7	p.m.
February 11, 2009	City Council Meeting - Replay of February 10, 2009	7	p.m.
February 15, 2009	City Council Meeting - Replay of February 10, 2009	4	p.m.
February 24, 2009	City Council Meeting - Live	7	p.m.
February 25, 2009	City Council Meeting - Replay of February 24, 2009	7	p.m.
March 1, 2009	City Council Meeting - Replay of February 24, 2009	4	p.m.
March 3, 2009	City Council Meeting - Live	7	p.m.
March 4, 2009	City Council Meeting - Replay of March 3, 2009	7	p.m.
March 8, 2009	City Council Meeting - Replay of March 3, 2009	4	p.m.
March 10, 2009	City Council Meeting - Live	7	p.m.
March 11, 2009	City Council Meeting - Replay of March 10, 2009	7	p.m.
March 15, 2009	City Council Meeting - Replay of March 10, 2009	4	p.m.
March 24, 2009	City Council Meeting - Live	7	p.m.
March 25, 2009	City Council Meeting - Replay of March 24, 2009	7	p.m.
March 29, 2009	City Council Meeting - Replay of March 24, 2009	4	p.m.